

| U.S. DEPARTMENT OF COMMERCE<br>PATENT AND TRADEMARK OFFICE |                                 |                                |                  |
|------------------------------------------------------------|---------------------------------|--------------------------------|------------------|
| SUPPLEMENTAL INFORMATION<br>DISCLOSURE STATEMENT           |                                 | Docket Number:<br>13101/48801  |                  |
| Serial No.<br>09/978,273                                   | Filing Date<br>October 15, 2001 | Examiner<br>Cynthia E. Collins | Art Unit<br>1638 |
| Invention Title<br>PLANT CELL DEATH SYSTEM                 |                                 | Inventors<br>THOMAS et al.     |                  |

VIA FACSIMILE February 14, 2007  
Office of Petitions  
Madison West Building, 7<sup>th</sup> floor  
600 Dulany Street  
Alexandria, VA 22314

| CERTIFICATION OF FACSIMILE TRANSMISSION                                                                                                                                 |                      |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------|
| I hereby certify that this paper is being facsimile transmitted to the Patent and Trademark Office, Office of Petitions, Fax No. 571-273-0025, on the date shown below: |                      |
| Type or print name of person signing certification<br><i>Anthony Giaccio</i>                                                                                            | Date<br>Feb 14, 2007 |
| Signature<br><i>Anthony Giaccio</i>                                                                                                                                     | Date<br>Feb 14, 2007 |

1. In accordance with the duty of disclosure under 37 C.F.R. § 1.56 and in conformance with the procedures of 35 U.S.C. §§ 1.97 and 1.98 and M.P.E.P. § 609, attorneys for Applicant hereby brings the following documents to the attention of the Examiner. These documents are listed on the attached modified PTO Form No. 1449. It is respectfully requested that the information be expressly considered during the prosecution of this application, and that the documents be made of record therein and appear among the "Documents Cited" on any patent to issue therefrom
2. The filing of this Information Disclosure Statement and the enclosed PTO Form No. 1449, shall not be construed as an admission that the information cited is prior art, or is considered to be material to patentability as defined in 37 C.F.R. § 1.56(b).
3. Two references listed on the Form 1449 were previously in an International Search Report of the related PCT application PCT/GB2001/04581, published as WO 02/033106. The international Search Report for PCT/GB2001/04581 is also provided herewith.
4. A copy of the Petition For Withdrawal From Issue Pursuant to 37 C.F.R. §1.313 (c)(2), Request for Continued Examination, PTO Form 1449, and documents disclosed thereby are proved herewith.
5. The Commissioner is hereby authorized to charge payment of the 37 C.F.R. § 1.17(p) (submission of an information disclosure statement under § 1.97(c)) fee of \$180.00 to the deposit account of Kenyon & Kenyon LLP, deposit account number 11-0600. The Commissioner is also authorized to charge any additional fees or credit any overpayment in connection with this paper to deposit account number 11-0600. A copy of this communication is enclosed for charging purposes.

Dated: Feb 14, 2007

By:

*Anthony Giaccio*  
Anthony Giaccio Reg. No. 39,684

KENYON & KENYON LLP  
One Broadway  
New York, N.Y. 10004  
Customer No. 26646

|                                                                                               |                                        |                                 |
|-----------------------------------------------------------------------------------------------|----------------------------------------|---------------------------------|
| <b>SUPPLEMENTAL INFORMATION<br/>DISCLOSURE<br/>STATEMENT BY APPLICANT<br/>PTO - 1449 FORM</b> | <b>ATTY. DOCKET NO.</b><br>13101/48801 | <b>SERIAL NO.</b><br>09/978,275 |
|                                                                                               | <b>APPLICANT</b><br>THOMAS et al.      |                                 |
|                                                                                               | <b>FILING DATE</b><br>October 15, 2001 | <b>GROUP</b><br>1638            |

FAX RECEIVED

FEB 14 2007

OFFICE OF PETITIONS

## U. S. PATENT DOCUMENTS

| EXAMINER<br>INITIAL | PATENT<br>NUMBER | PATENT<br>DATE | NAME | CLASS | SUB-<br>CLASS | FILING<br>DATE |
|---------------------|------------------|----------------|------|-------|---------------|----------------|
|                     |                  |                |      |       |               |                |

## FOREIGN PATENT DOCUMENTS

| EXAMINER<br>INITIAL | DOCUMENT<br>NUMBER | DATE       | COUNTRY | CLASS | SUBCLASS | TRANSLATION |    |
|---------------------|--------------------|------------|---------|-------|----------|-------------|----|
|                     |                    |            |         |       |          | YES         | NO |
|                     | 0 466 222          | 15.01.1992 | EP      |       |          |             |    |
|                     | WO 02/033106       | 25.04.2002 | PCT     |       |          |             |    |

## OTHER DOCUMENTS

| EXAMINER<br>INITIAL |  | AUTHOR, TITLE, DATE, PERTINENT PAGES, ETC.                                                                                                          |
|---------------------|--|-----------------------------------------------------------------------------------------------------------------------------------------------------|
|                     |  |                                                                                                                                                     |
|                     |  | Cho et al. 1999, Isolation and Characterization of cDNAs Encoding Ribosome Activating Protein from Dianthus sinensis L. Mol. Cells. 10(2): 135-141. |
|                     |  | International Search Report dated May 13, 2002 for PCT/GB01/04581                                                                                   |

|                                                                                                                                                                                                                                             |                 |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------|
| EXAMINER                                                                                                                                                                                                                                    | DATE CONSIDERED |
| EXAMINER: Initial if citation considered, whether or not citation is in conformance with M.P.E.P. 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. |                 |